

**Town of Westfield  
Planning Board  
MINUTES  
May 6, 2019**

The Westfield Planning Board met on May 6, 2019 at 7:30 pm in the Council Chambers in the Westfield Municipal Building, 425 East Broad Street, Westfield, NJ.

In compliance with Chapter 231 P.C. OPEN PUBLIC MEETINGS ACT in the State of New Jersey, adequate notice of this meeting was provided to all members of the Planning Board and the newspapers that have been designated to receive notice, the Star Ledger and the Westfield Leader.

Chairman Newell called the meeting to order and opened the meeting by calling all present to join in the Pledge of Allegiance to the Flag.

**ROLL CALL:**

PRESENT: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael Ash, Linda Habgood, Michael La Place, Matthew Ceberio, Ross Goldstein, Ann Freedman  
ABSENT: Anastasia Harrison  
ALSO PRESENT: Alan Trembulak, Planning Board Attorney, Donald Sammet, Town Planner and Linda Jacus, Administrative Secretary

**ADOPTIONS OF MINUTES:**

Chairman Newell called for a motion to adopt the minutes of the April 1, 2019 meeting. Darielle Walsh made a motion to adopt; Kris McAloon seconded.

ALL IN FAVOR: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Linda Habgood, Michael Ash, Matthew Ceberio, Ross Goldstein, Ann Freedman  
OPPOSED: None  
ABSTAINED: Michael La Place  
ABSENT: Anastasia Harrison

Motion carried.

**ADOPTION OF RESOLUTIONS:**

Chairman Newell called for a motion to adopt the following resolution for the application acted upon at the April 1, 2019, meeting.

**PB 19-03 Victor & Allison Passucci, Block 2510 Lot 1, 812 South Avenue West**

Applicant sought approval to construct a new three-story, mixed use building contrary to Section 11.28G4, 11.28G11, 17.02B4 of the Land Use Ordinance to allow a front yard setback of 18.98 feet where the Ordinance requires a minimum front yard setback of 29.65 feet; to allow a street side yard setback of 7.95 feet where the Ordinance requires a minimum street side yard setback of 20 feet; to allow a coverage by improvements of 81.6% where the Ordinance allows a maximum coverage by improvements of 70%; to allow 14 parking spaces where the Ordinance requires 15.2 parking spaces. Application approved with conditions.

Darielle Walsh made a motion to adopt; Kris McAloon seconded.

ALL IN FAVOR: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Linda Habgood, Michael Ash, Matthew Ceberio, Ross Goldstein, Ann Freedman  
 OPPOSED: None  
 ABSTAINED: Michael La Place  
 ABSENT: Anastasia Harrison

Motion carried.

**EXTENSION OF TIME:****PB 17-13 Andrew & Heather Stillufsen, 667 Fourth Avenue, Block 3303, Lot 6**

Applicants are requesting an extension of time to file the subdivision deed.

Alan Trembulak stated the applicant is required to record a subdivision deed within 190 days of the adoption of the resolution of approval. The deed was never recorded and 190 days has expired. All conditions of the resolution have been complied with except for the conservation easement, which is the last item, and should be finalized shortly. Once the conservation easement is in place, the deed can be recorded by the applicant. The applicant is looking for a six-month extension. The Board unanimously approved a six-month extension.

**NEW APPEALS:****PB 19-04 Echo Lake Country Club, 515 Springfield Avenue, Block 1501 & 1601, Lot 2**

3/6/2019

Applicant is seeking approval to renovate the existing clubhouse and reconfigure portions of the existing parking area contrary to Section 17.04A, 17.02E, 11.03E8, 11.03E12 of the Land Use Ordinance. Ordinance requires a minimum parking space dimension of 9' x 20'. Proposed is 9' x 18'. Ordinance requires a minimum of 4 loading spaces. Proposed is 1 loading space. Ordinance allows a maximum building height of 2 1/2 stories. Proposed is 3 1/2 stories. Ordinance allows a maximum building height of 35 feet. Proposed is 36.33 feet. Ordinance allows a maximum eave height of 22 feet. Proposed is greater than 22 feet. **Application deemed complete April 4, 2019. 120 day decision date is August 2, 2019.**

Darielle Walsh and Linda Habgood recused themselves from the application.

Stephen Hehl (370 Chestnut Street, Union) appeared on behalf of the applicant. Mr. Hehl stated this is an application for the renovation and expansion of the clubhouse at Echo Lake Country Club. We are seeking site plan approval for those improvements, and one of the key items is it

will bring the structure into ada compliance. The variances are minor in nature and there will be justification provided for those variances.

Chairman Newell swore in Michael Basta (827 Highland Avenue). Mr. Basta stated he is a member of the Board of Trustees and the Head of the Strategic Planning and Development Committee at Echo Lake Country Club. The club is over 100 years old and the clubhouse was built in 1920 in its current location. There have been upgrades and improvements made over the last 10-15 years with numerous renovations done to the clubhouse. The renovations lead to a building that is not operationally efficient and not optimal for our current and future membership. The plan is to renovate the clubhouse and bring it back aesthetically to recapture that charm of what was built in the 1920s. Mr. Basta stated we are looking to improve the interior and efficiency, make it ada compliant, and bring the infrastructure up to code. The goal is to make the clubhouse a more attractive spot and make the club an asset to the town.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Kyle McKenna (35 Technology Drive, Warren). The Board accepted Mr. McKenna's credentials as a licensed engineer.

Mr. McKenna went through the plans with the Board, and an aerial view of the site and topographic survey were marked as Exhibit A-1. He described the existing conditions, and stated access to the clubhouse is from Springfield Avenue and the traffic is one-way with parking in the rear. A question was raised by the Board about the club's encroachment onto county owned property at Echo Lake Park. Mr. Hehl stated we are working with the county to resolve this issue by proposing a swap of some of the club's land in exchange for these encroached areas. The county is working with us to get Green Acres on board with the swap. The application if approved would be contingent upon the county and Green Acres approval with the land swap.

Mr. McKenna marked Exhibit A-2, a colorized rendering of the site plan. He stated the building envelope will be expanded and two variances regarding the height are being requested. The ordinance allows for a 2 ½ story building, and the interpretation is 3 ½ story building because of the topography of the site. An eave height variance is also being requested because there are some places on the building that exceed the maximum allowed height of 22 feet. At the exterior of the clubhouse, on the two sides, are existing patio areas which will also be improved. The parking area to the northeast of the clubhouse will be reconfigured to improve on-site circulation. The redesign of the parking area includes relocating certain existing parking spaces, the addition of new landscaped islands, and a new circulation pattern adjacent to/including the area by the main entrance to the clubhouse. A variance is being requested for parking stalls which will be 9 feet by 18 feet, where the ordinance requires parking stall dimensions of 9 feet by 20 feet. There is a reduction in the amount of parking stalls on the site, however, the applicant exceeds the number required for the use, which is 131, and they are providing a total of 194. A variance is being requested for the number of loading spaces required. The ordinance requires four loading spaces, and one is proposed. The site currently contains two loading spaces, but one is being eliminated. The site lighting will include 9 new pole mounted light fixtures to illuminate the parking area. The maximum illumination level at the property line exceeds the permitted level of .5 footcandles necessitating a variance. At the area where the encroachment which runs through our parking lot, we are proposing 2.3 footcandles, and we believe this to be a unique circumstance. The site is already very nicely landscaped and we want

to keep that look. The landscaping will include landscaped islands within the parking area to break up the hardscape within. There are a number of foundation plantings around the clubhouse, and perimeter plantings adjacent to the patios and southerly side of the reconfigured parking area. New shade trees, shrubs, and ornamental grasses will be dispersed throughout.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Peter Boscio (700 School Street, Pawtucket, RI). Mr. Boscio stated he is the senior project manager for the firm that designed the plans.

Mr. Boscio went through the plans with the Board. He stated the main level renovation will include a 2,500 square foot addition to the building and about 1,000 square foot addition of patio and covered porch areas. The site will allow handicapped accessibility from the front entry and via a passage elevator. The restaurant and restroom facilities will be renovated and the kitchen will stay as is. The front entry will stay as, with the exception of a covered porch addition, and a small portion of the existing banquet room will be expanded. Mr. Boscio marked Exhibit A-3, an expanded version of the site plan, which represents the expanded areas and the existing conditions. Exhibit A-4 was marked, the second level floor plan. On the second-level, the dining area is being expanded. We are adding a second-floor dining area with a small board room to the front, and the addition will be 3,000 square feet. Exhibit A-5 was marked, an exterior elevation, Mr. Boscio stated we are trying to bring back the shingle style architecture of the 1920s. Exhibit A-6, a view off of the southwest exterior was marked.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Paul Grygiel (622 Salter Place). The Board accepted Mr. Grygiel as licensed planner.

Mr. Grygiel stated the property is in the RS-40 zone and is a permitted use. Mostly all of the improvements comply with all the zone requirements, but we do have some existing non-conforming conditions, which are being maintained or worsen. All the variances can be granted under the c-2 criteria, as the benefits will outweigh any detriments, and the purposes of zoning will be advanced. The applicant is proposing a modest expansion of the clubhouse, which has been in place for over 100 years. The proposed changes can be accommodated without impacting the neighboring properties or the town, as the club is not visible from neighboring streets. All the setbacks, floor area ratio, and coverages will be met. The overall benefits will include an updated clubhouse that will be ada compliant and the applicant is trying to maintain this property as an important resource for the town. The height variances relate to topography on the site and the deviations will not be detrimental to the surrounding area. The parking stalls at 9x18 is the standard size under rsis standards. As for the 4 loading spaces required, the applicant does not need that many loading spaces and there is no reason to have extra paving. The lighting can be granted under the C-1 hardship criteria, as the property line runs through the parking lot, which is impossible to comply with. There will not be any detrimental impacts to the neighboring properties because of the size of the subject property, and all the variances can be granted given the existing conditions on the site.

Open to public questions. None. Closed to public questions.

Open to public comments. None. Closed to public comments.

The Board was concerned about voting on the application without the club perfecting the title between the County and Green Acres. However, if county approval is not obtained, the Board approval would not take effect, and the applicant would have to come back. It was suggested the applicant rework the parking layout so the area in the park area could be removed and restored to public use. The applicant could submit an amended site plan which eliminates any encroachment onto the county property for review by the Site Plan Subcommittee. A condition of approval will be imposed that the applicant needs to obtain County and Green Acres approval for the encroachment.

Chairman Newell called for a motion. Michael Ash made a motion to approve with the above condition; Ann Freedman seconded.

ALL IN FAVOR:	Robert Newell, Mayor Shelley Brindle, Kris McAloon, Matthew Ceberio, Michael La Place, Michael Ash, Ross Goldstein, Ann Freedman
OPPOSED:	None
ABSTAINED:	Darielle Walsh and Linda Habgood
ABSENT:	Anastasia Harrison

Motion carried.

Application approved with conditions.

**PB 19-05 Lions Roar Brewing Company, 515-523 South Avenue West, Block 3002, Lot 4  
4/22/2019**

Applicant is seeking approval to construct a microbrewery contrary to Section 17.02C, 16.04E1b, 17.02D, 16.04E1c, 13.01B, 13.01G2b/13.03E3, 13.01H, 18.04F3 of the Land Use Ordinance. Ordinance requires 36 parking spaces. Proposed is 0 parking spaces. Ordinance allows a maximum sign height of 11 feet. Proposed is 22 feet. Ordinance requires 2 barrier free parking spaces. Proposed is 0 barrier free parking spaces. Ordinance allows a maximum sign width of 20 feet. Proposed is 52 feet. Ordinance requires a minimum of 10 feet 10 inches between an accessory structure and the principal structure. Proposed is 6 feet between the accessory structure and the principal structure. Ordinance requires a minimum of 17.5 feet between an accessory structure and the rear lot line. Proposed is 2.67 feet. Ordinance allows a maximum coverage of 25% for an accessory structure. Proposed is 28.3%. Ordinance does not allow a conditional use and non-conditional use on the same lot. Proposed is a conditional use and permitted use on the same lot. **Application deemed complete April 22, 2019. 120 day decision date is August 20, 2019.**

Andrew Kohut, Esq., (12 Route 17, Paramus) appeared on behalf of the applicant. Mr. Kohut stated this application is for a microbrewery, which will have a 38 seat tap room, a production room, tours, and an outdoor gazebo. The aesthetics of the building will be updated and there are minor dimensional variances being requested for the wall signage and parking.

Chairman Newell swore in Corrine Grant (211 North Scotch Plains Avenue). Ms. Grant owns the business with her husband. She stated a microbrewery is different than a bar setting because it is a family friendly environment. We do not provide food so it is a great opportunity for our customers to get food from local restaurants. Microbreweries are rapidly growing throughout the

country, but there are less than 100 microbreweries in New Jersey. There is a limited brewery license so we can only sell our beer and not any other beer or liquor. We look at this as a place for new families to meet and socialize, and after 8 pm it will be 21 and older. The south side was chosen because the rent is lower, but also because the brewery feels right on the south side, we hope to help start building that area up. The design will be modern industrial and the outdoor area will be leveled and graveled, with 4 gazebos which will be a four-season space. The operating hours will be closed on Monday & Tuesday, Wednesday 4-8, Thursday 4-10, Friday 3-11, Saturday 1-midnight, and Sunday 1-8. There are 3 parking spaces allocated for the business with one floater space. There will be security in place which is extremely important so there is not anything negative attached to the business.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in David Bailey (225 Lenox Avenue). The Board accepted Mr. Bailey's credentials as a licensed architect.

Mr. Bailey went through the plans with the Board. He stated the site has an existing two-story building with retail space on the ground floor and apartments on the second floor. The applicant is proposing new storefront trim and panels, and new windows. The existing awning frame will remain, but it will be recovered. There are two signs proposed with the first sign located on the awning, and the second sign will be painted on the building wall facing the traffic circle, which is bigger than what the ordinance allows. The rear elevation will include new windows and a door that will access the beer garden and rear yard. There will be planter boxes for decoration which will also act as buffer. Also, in the rear yard, will be four separate gazebos, placed side-by-side, which will function as one. Each gazebo will be 10 feet 10 inches in height, and there will be string lights used for lighting. A 6-foot fence is proposed to shield the rear yard from the neighbors.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Matthew Seckler (92 Park Avenue, Rutherford). The Board accepted Mr. Seckler's credentials as a licensed planner/engineer/traffic engineer.

Mr. Seckler went through the variances with the Board, and stated the location of the existing buildings on the site, along with the shape of the lot makes compliance with rear yard setback requirements for the gazebo structures difficult. There are variances being requested for parking, but there are three allocated parking spaces on site, and the site is well served by municipal parking lots in the area, as well metered parking on Westfield Avenue. The apartments on the second floor are a permitted use, but the microbrewery use is a conditional use, and those conditions have been met. A variance is being requested for the sign width; we are proposing a sign width of 52 feet because we want to have a sign that is noticeable on the circle. Mr. Seckler stated the variances can be granted under the C-2 criteria as the benefits outweigh the detriments. The proposed use will invigorate the downtown area and will not have any negative impact on the surrounding neighborhood. Parking will not be an issue with the nearby municipal lots, and the rear of the property which is in disrepair, will be a visual improvement with the proposed outdoor space.

Open to public questions. None. Closed to public questions.

Open to public comments.

Andrew Davlourous (418 Westfield Avenue) stated he loves the idea of the microbrewery, but is concerned about the noise from the gazebo and is concerned about parking.

Sherry Cronin (105 Elm Street) spoke in favor of the application. She stated she has worked with the applicants and thinks the project is a good compliment to the apartments being built at 501 South Avenue.

Closed to public comments.

The Board agreed this is a great application. It will bring foot traffic to the south side and will be a catalyst for other businesses.

Chairman Newell called for a motion. Kris McAloon made a motion to approve with the condition the applicant will install an ADA-compliant ramp to provide barrier-free access between one of the gazebos and the rear of the building; Darielle Walsh seconded.

ALL IN FAVOR:	Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Linda Habgood, Kris McAloon, Matthew Ceberio, Michael La Place, Michael Ash, Ross Goldstein
OPPOSED:	None
ABSTAINED:	Ann Freedman
ABSENT:	Anastasia Harrison

Motion carried.

Application approved with conditions.

## **OTHER BUSINESS:**

### **♦ 2018 Board of Adjustment Annual Report**

Don Sammet stated no formal action is necessary, the annual report is required as per the Municipal Land Use Law to inform the Town Council and the Planning Board what type of variances were granted, and what if, any ordinances, are in need of an update or further examination. There were 60 applications heard by the Board of Adjustment in 2018, mostly single-family homes. There were some recommendations in the report that included the Mayor and Council consider re-classifying an optometrist's office from a medical office to a retail sales type of use, and that a ground floor office use be allowed for certain properties along Lenox Avenue within the CBD Zone District. There was some concern by the Board about d variances being approved in the CBD zone for non-retail uses, which is not a direction the town should be going in.

**OTHER BUSINESS:**

Review of Historic Preservation Commission Report and Resolution: Proposed Historic Site Designation 314 Mountain Avenue (The Reeve House) and 201 Mountain Avenue (Triangle Park).

Don Sammet stated the Historic Preservation Commission has nominated the two separate properties for designation as local historic landmarks. The Commission has prepared reports identifying the historic characteristics of the properties, has held a required public hearing in regard to their designation proposals, and have adopted resolutions recommending the historic designations. A historic designation of property is shown in both the Town Land Use Ordinance and on the zoning map. The ordinance and map both need to be amended to finalize the proposed designations, and any amendment to a land use ordinance must be referred to the Planning Board for its review and comment. A motion was made and seconded that the designations are consistent with the master plan and should be recommended for adoption by the Town Council.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 10:50 pm.

Respectfully Submitted,

Linda Jacus  
Administrative Secretary